

Amendment under 37 C.F.R. § 1.111
U.S. Application No. 10/062,411

REMARKS

Claims 1 and 2 have been examined, and have been rejected under 35 U.S.C. § 103(a).

Preliminary Matters

The Examiner has not acknowledged the drawings filed on April 26, 2002. Accordingly, Applicant respectfully requests the Examiner to indicate whether such drawings are acceptable in the next Office Action.

Applicant has amended the Abstract to make minor editorial changes. In addition, Applicant has amended the Specification to correct minor errors.

Rejection under 35 U.S.C. § 103(a)

Claims 1 and 2 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Japanese Patent No. 2001-59120 to Senmei et al. ("Senmei"). However, the publication date of Senmei (i.e. March 6, 2001) is after the filing date (i.e. February 6, 2001) of Applicant's foreign priority document JP 2001-29755. In addition, Senmei was published less than one year prior to the filing of the current Application. Accordingly, Applicant is hereby removing Senmei as a prior art reference by perfecting the claim to foreign priority.

Submitted herewith is a verified English translation of JP 2001-29755. Applicant submits that JP 2001-29755 provides support under 35 U.S.C. § 112, first paragraph, for claims 1 and 2 of the present Application.

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Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of claims 1 and 2.

Rejections under 35 U.S.C. § 112, second paragraph

The Examiner has rejected claims 1 and 2 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. In particular, the Examiner maintains that the limitation “base metal” in line 3 of claim 1, lacks antecedent basis. Accordingly, Applicant has amended claim 1 and respectfully requests the Examiner to withdraw the rejection.

Newly Added Claims

Additionally, Applicant has added claims 3 and 4 to provide more varied support for the present invention.

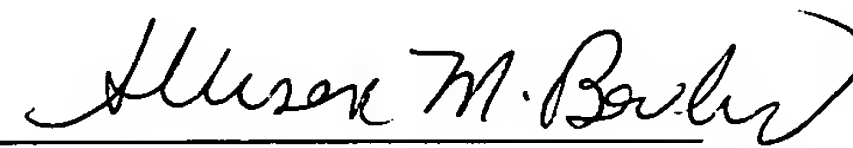
Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

The specification is changed as follows:

Page 6, the first full paragraph is amended as follows:

Incidentally, the inorganic particles [2b]2a are recovered from the dross 4 in accordance with the kind of the flux 3 used in the step shown in Fig. 1B. For example, when water-soluble flux 3 is used, the inorganic particles [2b]2a can be recovered by dissolving the flux 3 in water or a suitable solvent. When high-temperature evaporative flux 3 is used, the inorganic particles [2b]2a can be recovered by baking the whole of the dross 4.

IN THE CLAIMS:

The claims are amended as follows:

1. (Once Amended) A method for separating metal and inorganic particles from a metal-inorganic particle composite material generated because of dispersion of inorganic particles in a base metal, comprising the steps of:

heating said metal-inorganic particle composite material into a melt;
throwing flux into said melt and bringing said flux into contact with said melt sufficiently;

leaving said melt at rest to separate said melt into an upper layer containing said inorganic particles and a lower layer composed of said metal; and

recovering said upper layer and said lower layer individually.

Claims 3 and 4 are added as new claims.

IN THE ABSTRACT OF DISCLOSURE:

The abstract is changed as follows:

A metal-inorganic particle composite material [1] is heated into a melt [2]. Flux [3] is thrown into the melt [2], and both the melt [2] and the flux [3] are brought into contact with each other sufficiently. The resulting melt [2] is then left at rest so as to be separated into an upper layer containing inorganic particles [2]a and a lower layer composed of metal [2b]. Subsequently the upper layer and the lower layer are recovered individually.